

HOUSE No. 229

By Mr. Fallon of Malden, petition of Daniel F. Keenan and others relative to primary enforcement of the motor vehicle safety belt law. Public Service.

The Commonwealth of Massachusetts

PETITION OF:

Daniel F. Keenan	Christopher G. Fallon
Barbara A. L'Italien	Ruth B. Balser
Alice Hanlon Peisch	John W. Scibak
Paul J. Donato	

In the Year Two Thousand and Five.

AN ACT ESTABLISHING A PRIMARY SEAT BELT LAW.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 13A of chapter 90 of the General Laws, as appearing in
2 the 2002 Official Edition, is hereby amended by striking the sev-
3 enth paragraph beginning on line 23 and inserting in place thereof
4 the following:—
5 Any person who operates a motor vehicle without a safety belt,
6 and any person sixteen years of age or over who rides as a pas-
7 senger in a motor vehicle without wearing a safety belt in viola-
8 tion of this section, shall be subject to a fine of twenty-five
9 dollars. Any operator of a motor vehicle shall be subject to an
10 additional fine of twenty-five dollars for each person under the
11 age of sixteen and not younger than twelve who is a passenger in
12 said motor vehicle and not wearing a safety belt. The provisions
13 of this section shall be enforced by law enforcement agencies
14 when an operator of a motor vehicle or passenger who rides in the
15 front seat is not wearing a safety belt in violation of motor vehicle
16 laws. A police officer may not search or inspect a motor vehicle,
17 its contents, the driver, or a passenger solely because of a viola-
18 tion of this section. For a period of 180 days following the effec-

19 tive day of this act, any law enforcement official who stops a
20 motorist solely because of failure to wear a safety belt shall not
21 issue a citation, but shall only issue a written or verbal warning.